

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: RAMSEY, JAMES

CASE: 23-13583

MOTION TO IMPOSE AUTOMATIC STAY

Now comes Catherine Umberger, as attorney for Debtor in the above-styled cause who files this Motion to Impose Automatic Stay in this cause and, in support thereof, would respectfully show unto the Court the following:

1. The above Debtor filed a previous Chapter 13 case, Case No. 21-12149 on November 11, 2021, the case was dismissed on January 18, 2023.
2. The above Debtor filed a second Chapter 13 case, Case No. 23-11654 on June 1, 2023, the case was dismissed on October 30, 2023.
3. This Chapter 13 case was filed on November 21, 2023.
4. The previous Chapter 13 case was dismissed without prejudice and without a bar.
5. Debtor would further show that this Chapter 13 case is filed in good faith.
6. The Debtor will suffer immediate and irreparable harm if their Motion to Impose the Automatic Stay is not granted.

WHEREFORE, the Debtor respectfully asks this Court to impose and continue the Automatic Stay during the entire period and course while their current Chapter 13 case is pending with this Court.

Respectfully submitted,

/s/ Catherine Umberger
Catherine Umberger,
ESQ., BAR104478
Mayfield Law Firm, P.A.
106 W. Franklin St.
Tupelo, MS 38803
(662)841-8844

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

In re: JAMES RAMSEY

Case No.: 23-13583

Chapter 13

DECLARATION N SUPPORT OF MOTION TO IMPOSE
THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. 4362(0(4)

The debtor, in support of the Motion to Impose the Automatic Stay, state as follows:

1. *I have* personal knowledge of the facts listed in the foregoing situation.
2. *I am* over the age of 18, of sound mind, *am* capable of making this Declaration, and *am* fully competent to testify to the matters stated herein.
3. *I* filed this bankruptcy petition on *11/21/2023*.
4. *I* previously filed the following bankruptcy cases:
 - *21-12149* under Chapter *13* on *11/11/2021* dismissed on *01/18/2023*.
 - *23-11654* under Chapter *13* on *06/01/2023* dismissed on *10/30/2023*.
5. *I have* had no other pending bankruptcy cases in the preceding one-year period.
6. *I* have not had any prior case dismissed in the past year for any of the following reasons:
 - failure to file or amend the petition or other required documents without substantial excuse;
 - failure to provide adequate protection as ordered by the Court; or
 - failure to perform the terms of a plan confirmed by the Court.
7. *I* have had a substantial change in *[my]* financial or personal affairs since the dismissal of the last case, and *[I]* believe that this case will:

- *[If a Chapter 7]* be concluded with a discharge; or
- *[If a Chapter 11 or 13]* result in a confirmed plan that will be fully performed

8. Those changes are as follows:

I was dismissed for failure to pay and being unable to make the payments to get myself to confirmation. I had issues with getting my medical insurance to pay for my kidney medication and had to pay out of pocket for four months, but have now sorted those issues out and have it covered through insurance and also received a refund from the insurance company for my out of pocket expenses. I should now be able to make my full plan payments in a timely manner.

Check the appropriate box:

X If executed within the United States, its territories, possessions or commonwealths:

[I] declare under penalty of perjury that the foregoing is true and correct.

☐ If executed outside the United States:

[I/We] declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 11/21/2023

Debtor's Signature /s/ James Ramsey

CoDebtor's Signature

CERTIFICATE OF SERVICE

I, Catherine Umberger, the undersigned counsel, do hereby certify that I have this day served a true and correct copy of the foregoing ***Motion to Impose Automatic Stay and Supporting Declaration***, via Electronic mail, postage prepaid, upon the following:

U.S. Trustee

U.S. Trustee

USTPRegion05.AB.ECF@usdoj.gov

Trustee

Locke Barkley

All entries on the matrix (attached)

Dated: Tuesday November 21, 2023

/s/ Catherine Umberger

CATHERINE UMBERGER, ESQ.

CREDITORS

**1st Franklin Financial
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Cleveland, TN 37364-0550**

**Check Into Cash
PO Box 550
Cleveland, TN 37364-0550**

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**Commerical Services Group, INC
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Louisville, KY 40223-4175**

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First State Bank
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Holly Springs, MS 38635-0580

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Lac Du Flambeau, WI 54538-0642

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MCI Residential Service
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Weldon Spring, MO 63304

**MS Dept of Employment Security
PO Box 1699
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**National Enterprise System
PO Box 36
Twinsburg, OH 44087-0036**

**Nephrology and Hypertension
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Tupelo, MS 38801-6560**

**Nolan Brothers
1425 E Main St
Tupelo, MS 38804-2926**

**Northern Resolution Group
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Buffalo, NY 14226-0566**

**Office of the US Trustee
900 Jefferson Ave
Oxford, MS 38655-3608**

**Phoenix Management System
7841 Wayzata Blvd
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**Rent A Center East, Inc
Attn: legal Department
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**Santander Consumer USA
PO Box 961211
Fort Worth, TX 76161-0211**

**Sayle Oil/Propane
PO Box 310
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Jackson, MS 39205-0389**

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PO Box 780408
Wichita, KS 67278-0408**

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**United Emergency Services
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Woodland Hills, CA 91302**

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fka Merchants & Farmers Bank PO Box 700
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